

Message Text

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RPE - MR. HOMMES (SUBS)

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TAGS: SP, MARR, PFOR

SUBJECT: TREATY WITH SPAIN: RATIFICATION HEARINGS

1. SUMMARY: SENATE FOREIGN RELATIONS COMMITTEE (SFRC) BEGAN FORMAL CONSIDERATION OF SPAIN TREATY WITH OPEN HEARING MARCH 3. AMB. MCCLOSKEY MADE STATEMENT AFTER WHICH HE, ASSISTANT SECRETARY HARTMAN, RADM HANNIFIN (JCS REP ON NEGOTIATING TEAM) AND DEPUTY ASST SECY (DOD/ISA) BERGOLD RESPONDED TO QUESTIONS. GENERAL ATMOSPHERE FAVORABLE. QUESTIONS PERMITTED WITNESSES TO MAKE CLEAR RECORD ON NO SECURITY COMMITMENT, NATO ALLIES' REACTIONS, DEMOCRATIC TRANSITION, ETC. SENATORS SPARKMAN, PELL AND HUMPHREY STATED THEY WOULD VOTE FOR RATIFICATION, PERCY UNCLASSIFIED

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AND CLARK WERE SUPPORTIVE IN THEIR COMMENTS. ALL HINGED

SUPPORT ON DEMOCRATIC TRANSITION. NO RPT NO ONE OPPOSED.
DIFFICULT ISSUES: MULTI-YEAR AUTHORIZATION OF QUID; NPT
AND EX-IM BANK LOANS; RADIO LIBERTY LEASE PROBLEM.
NEXT HEARING MARCH 12 IS FOR NON-GOVERNMENT WITNESSES.
UNDERSTAND AS MANY AS TWENTY MAY TESTIFY. END SUMMARY.

2. KEY ISSUES THUS FAR:

A. AUTHORIZATION OF FUNDS. MCCLOSKEY IN OPENING
STATEMENTS (STATE 053332) SAID ADMINISTRATION ACCEPTS
CONGRESS' DESIRE THAT AUTHORIZATION BE BY USUAL
LEGISLATIVE PROCESS (I.E. TREATY NOT RPT NOT TO BE SOLE
AUTHORIZATION STATUTE), ANXIOUS TO WORK WITH CONGRESS,
HOPES AUTHORIZATION WILL BE FOR FULL FIVE YEARS OF TREATY.
SENATOR JAVITS ESTABLISHED POINT THAT THIS TYPE OF TREATY
INVOLVING BASES AGREEMENT AND FIXING SPECIFIC U.S.
MULTI-YEAR ASSISTANCE COMMITMENT SETS PRECEDENT AND
CONFRONTS CONGRESS WITH A DILEMMA: CONGRESS WANTS
SUCH AGREEMENTS AS TREATIES, BUT IS DISTURBED BY MULTI-
YEAR COMMITMENTS OR AUTHORIZATIONS OF FUNDING, WHICH
OUT OF KEEPING WITH NORMAL CONGRESSIONAL PRACTICE.

B. NUCLEAR NON-PROLIFERATION TREATY (NPT). SENATORS
HUMPHREY AND PELL URGED IN STRONGEST TERMS THAT WE DO
EVERYTHING POSSIBLE TO HAVE SPAIN SIGN THE NPT. PELL
ASKED IF SPAIN MIGHT SIGN NPT BEFORE RATIFICATION, SAYING
SUCH SIGNATURE WOULD HASTEN SENATE ACTION, BUT HE DID NOT
SAY NPT SHOULD BE A PREREQUISITE. HE NOTED THAT SOME IN
CONGRESS WOULD WANT TO RESTRICT EX-IM BANK LOANS TO
NON-NUCLEAR PROJECTS UNTIL SPAIN SIGNS NPT. AMB.
MCCLOSKEY POINTED OUT SUCH ACTION WOULD BE DISCRIMINATORY,
NOTED SPAIN'S SAFEGUARDS COMMITMENTS, PROMISED TO FURNISH
FURTHER INFORMATION FOR RECORD (EX-IM HAS MADE SUCH
LOANS TO OTHER NPT NON-ADHERENTS)
COMMENT: SENATOR LIKELY TO ASK LATER IN
PROCESS IF WE HAVE FURTHER PRESSED FOR NPT RATIFICATION
AND WHAT WAS GOS RESPONSE.

C. RADIO LIBERTY. SENATOR PERCY SAID THAT IF OUR
FIFTEEN-YEAR RADIO LIBERTY RELATIONSHIP WITH SPAIN
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ENDS IT COULD CREATE REAL PROBLEMS FOR THE TREATY IN
THE SENATE. (MORE DETAILS REPORTED IN STATE 52614 NOTAL).

3. OTHER ISSUES RAISED IN THE HEARING: MILITARY
JUSTIFICATION FOR BASES; CAN WE USE THEM IN EMERGENCY;
U.S. SECURITY COMMITMENT; DETAILS OF F-4 "SWAP"; ROLE
OF COMBINED PLANNING STAFF; STRUCTURE AND STAFFING OF
NEW INSTITUTIONS, AND REASON FOR THEM; COMPARATIVE

"COSTS" OF 1970 AGREEMENT AND TREATY; ATTITUDE OF NATO ALLIES TOWARD TREATY; PROSPECTS FOR SPAIN'S ENTRY INTO NATO; ATTITUDE OF SPANISH PEOPLE TOWARD IT; U.S. POLICY ON PACE OF DEMOCRATIC TRANSITION IN SPAIN; LEGALIZATION OF PCE.

4. SENATORS CLARK AND EAGLETON INTRODUCED RESOLUTION MARCH 2 GIVING SENATE ADVICE AND CONSENT TO RATIFICATION (STATE 51996) RESOLUTION INCLUDES DECLARATION THAT "THE UNITED STATES...HOPES AND INTENDS THAT THIS TREATY WILL SERVE TO SUPPORT AND FOSTER SPANISH PROGRESS TOWARD DEMOCRACY AND TOWARD COMPLETE SPANISH PARTICIPATION IN

THE INSTITUTIONS OF WESTERN EUROPEAN POLITICAL AND ECONOMIC COOPERATION" (STATE 51996 NOTAL)

5. SENATORS SPARKMAN, PELL AND HUMPHREY STRONGLY SUPPORTED RATIFICATION.

A. SENATOR PELL SAID HE HAD BEEN TWICE ARRESTED IN SPAIN IN LATE 1930'S, HAD SEEN REPRESSION, AND HAD REFUSED TO VISIT SPAIN AGAIN DURING FRANCO'S TENURE. HE HAD DOUBTS, BUT HAD RECENTLY VISITED MADRID WITH OPEN MIND, AND HAD COME AWAY PERSUADED WE MUST RATIFY. SPAIN HAS CHANGED. HE NOTED THAT SPAIN'S JAIL POPULATION NOW IS 8500 OR 24 PER 100,000 POPULATION, ONE FOURTH THE U.S. RATE. THERE ARE NOW ONLY 500 POLITICAL PRISONERS OF WHOM ALL BUT 100 ARE EXPECTED TO BE RELEASED BY SUMMER, AND SOME OF WHOM ARE TERRORISTS. WE SHOULD NOT HANG COUNTRIES FOR THE SINS OF THE PAST. IF WE DO NOT RATIFY WE WILL ONLY BE TURNING SPAIN BACKWARD. IT IS TOO BAD THE PRESS AND THE PUBLIC ARE NOT AWARE OF THE CHANGES GOING ON IN SPAIN. FROM TAXPAYER VIEWPOINT UNCLASSIFIED

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TREATY IS GOOD. FROM OUR VIEW COST IS \$170 MILLION IN GRANTS. ON OTHER SIDE OF ATLANTIC VALUE IS OVER \$1 BILLION BECAUSE OF CREDITS WHICH ARE VALUABLE TO SPAIN. PELL PAID PARTICULAR TRIBUTE TO AMB. STABLER.

B. SENATOR HUMPHREY ASSOCIATED HIMSELF FULLY WITH SENATOR PELL'S STATEMENT. SAID HE WHOLEHEARTEDLY BACKS TREATY, AND HIS ONLY CONCERN IS DISPROPORTION BETWEEN MILITARY AND NON-MILITARY U.S. ASSISTANCE. HE THOUGHT MILITARY LEVELS ARE JUSTIFIABLE, BUT THE NON-MILITARY IS INADEQUATE.

C. SPARKMAN SAID "I TOLD MCCLOSKEY SENATE WOULD APPROVE TREATY" AND, TURNING TO OTHER COMMITTEE MEMBERS. "I WANT YOU TO REMEMBER THAT".

6. NEXT HEARING IS MARCH 12 WHEN AS MANY AS TWENTY NON-GOVERNMENT WITNESSES (MOSTLY ACADEMICS AND JOURNALISTS, WE UNDERSTAND) WILL TESTIFY. HEARING MAY LAST MORE THAN ONE DAY. AT THIS POINT CANNOT PREDICT WHAT FURTHER HEARINGS BEYOND MARCH 12 SET MAY TAKE PLACE, OR WHEN SFRC MAY MAKE ITS REPORT ON TREATY TO SENATE.

7. PELL ASKED WHETHER ASSISTANCE PROPOSED UNDER THE TREATY WOULD BE AFFECTED BY THE HUMAN RIGHTS PROVISIONS AND THOSE PERTAINING TO TRADING WITH CUBA WHICH ARE PART OF THE FOREIGN ASSISTANCE LEGISLATION. THE DEPARTMENT IS PREPARING AN ANSWER. KISSINGER

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